


The Defendants are named only in their official capacities only and the actual Defendant is Lawrence County that employs the Defendants. Kentucky v. Graham, 473 U.S. 159,166 (1985) (“an official capacity suit is, in all respects other than name, to be treated as a suit against the entity.”) A claim of governmental liability requires a factual allegation that the misconduct complained of is caused by a policy, statement, regulation, decision or custom promulgated by Lawrence County or

the Lawrence County Sheriff. Brandon v. Holt, 469 U.S. 464, 471-72 (1985) Monell v. New York City Department of Social Services, 436 U.S. 658 (1978).

Plaintiff has not alleged specific facts to suggest that his rights have been violated pursuant to a policy or regulation of Lawrence County. Plaintiff alleges only isolated and episodic events. The attachments to Plaintiff's complaint reflects that in each instance that Plaintiff complained the assigned jailor responded favorably or an inquiry was made. Thus, the Court concludes Plaintiff has failed to state a claim against the Defendants acting in their official capacities.

In the absence of an actionable claim, the Court is obliged to dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate Order is filed herewith.


WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court